



**EMBASSY OF THE REPUBLIC OF CAPE VERDE  
TO THE UNITED STATES OF AMERICA**

**Washington, DC, April 8, 2010**

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The Embassy of the Republic of Cape Verde presents its compliments to the United States Department of Labor, Bureau of International Labor Affairs, and has the honor to send enclosed the information from the government of the Republic Cape, regarding on the "Child Labor, Forced Labor, and Forced or Indentured Child Labor in the Protection of Goods in Foreign Countries and Efforts by Certain Countries to Eliminate the Worse Forms of Child Labor.

The Embassy of the Republic of Cape Verde avails itself of this opportunity to renew to the United States Department of Labor, Bureau of International Labor Affairs the assurances of its highest consideration.

**United States Department of Labor  
Bureau of International Labor Affairs  
Washington, DC 20210**



## CHILD LABOR IN CAPE VERDE

Under the coordination of ICCA (Cape Verdean Institute for the Child and Adolescent) and to support the Government in formulating Child and Adolescent public policy, the Child and Adolescent Social Protection System developed in 2007 a study entitled "Child and Labor: A legal and sociological study" and an "Action Plan to combat Child Labor". These documents place specific emphasis in the fact that the country has a relatively low index of forced/exploitative labor in its worse forms.

Nevertheless, activities considered as exploitative and dangerous to the health and moral development of the Child, usually take place within certain households, and are linked to extreme poverty or low levels of income in those families. This is not acceptable by ICCA's standards, considering the many options available to protect and integrate children and adolescents in the educational system and professional training. There is, in addition, the Government's program to combat poverty and child labor in Cape Verde.

The sectors with higher demand for child labor are the commerce and services sectors. Children perform various types of activities in the urban areas, namely, street vendors of fish, water, finger foods, and other products prepared in their households.

However, the types of child labor reported in Cape Verde, per the qualitative study done in 2007, correspond to domestic work, ambulatory sales of food products, garbage, sand and pebbles collection, Agriculture and Animal husbandry, Fishery and Construction work.

Child labor in Cape Verde is therefore mainly linked with the still relatively high poverty rate that affects some layers of the population which, deprived of certain services and goods, turn to their children for added sources of income.

### Government Policies:

As far as Public Policies and in sync with the guidelines set by the National Development Plan (PND), the Government of Cape Verde initiated in 2004 a process of Legal and Institutional Reform in Child and Adolescent Issues, through the Cabinet Resolution N. 5/2005, of February 28, 2005. That reform which is coordinated by the Ministry of Justice and the Ministry of Labor, Vocational Training and Social Solidarity. It consolidates and adapts the children related legislation to the new perspective already incorporated in the 1992 Constitution of the Republic and the Convention on Rights of the Child, to which Cape Verde subscribed since 1991 (Law n. 29/IV/91, of December 30), as well as the African Declaration on the Rights and Well-being of the Child (Law N. 74/IV/92, of February 22, 1992)

The above mentioned process is being anchored in the Action Plan of the "World Fit For Children" – WFFC, in such a marked way, that all the Plan's principles, specially the principle of superior interest of the child, have oriented the legal reform, which objective is to congregate in one statute the rights of the child and adolescent in all relevant areas. This statute is designated as Child and Adolescent Statute.

The National Action Plan for Human and Citizenship Rights is another government policy to address the issues affecting children, adolescents and society in general. This Plan clearly indicates the need "to identify cases of forced labor involving children under 14 and to adopt programs and necessary measures to end those situations; to analyze, approve and adopt preventive and efficient punitive measures against those who force children under the age of 15, or children who have not completed the compulsory basic education, to paid work or domestic work, as long as it is proved to be inadequate to the child's development. Those same measures are also applicable to any other company or persons that hire directly with the above mentioned children.

ICCA, as a state agency that acts in the child sector, develops sectorial plans to combat child labor in Cape Verde, highly investing in the distribution of

Information, Education and Communication materials (IEC) – t-shirts, pamphlets, newsletters, posters, calendars, stickers, book separators) - and the Education Guide on Child Labor, as a way to sensitize and inform the community at large about children and adolescents rights and the scope of the problem in the country.

In relatively equal opportunity conditions, Education tries to realize the principle of "education for all" and materialize the notion that "the child's place is in school". This is no doubt one of the strategies to combat school drop-outs, which are very high in the vulnerable groups. Two projects are targeted at these groups: Support to children at risk and their families, and the "Nós Kaza – criança fora da Rua, Dentro da Escola" project (Our house – children off the street, into the school).

Schools closely monitor children and their families and function as an early warning system for school drop-out and child abuse linked to child labor. Following schools are the delegations of the Ministry of Education and Higher Education (MEES) that intervene at county level. Also, under the MEES, there is the Instituto Cabo-verdiano de Acção Social Escolar – ICASE (Cape Verdean Institute of Social Support in Schools), which provides social and educational support to disadvantaged populations, with the objective of generalizing the Basic and Secondary Education and strengthening the Preschool Education, thus contributing to the educational achievement of students who are economically vulnerable.

Other intervening institutions and stakeholders are:

- I. The Instituto do Emprego e Formação Profissional (Institute for Employment and Vocational Training), which promotes employment and vocational training, namely by facilitating access to youth's first employment and providing training for diverse activities.
- II. The Inspecção Geral do Trabalho – IGT (Labor General Inspection), which is integrated in the governmental department responsible for the

administration of labor, monitors, ensures the application of labor laws and norms governing labor relations, namely employment of minors (Decree-Law N. 90/97, of December 31, approves the General Labor Inspection statute).

- III. The Health Sector, which plays an important role in what concerns violations of children's rights. Its intervention in those situations can not be neglected, especially when sexual abuse and exploitative child labor are involved, which require special medical care.
- IV. The Justice department, which ensures observance of children's rights, especially those in situation of exploitative employment. The Office of the Prosecutor (Ministerio Publico?) is the entity responsible to independently carry out prosecution and direct the criminal investigation in these cases (Law N. 65/V/98, of August 17 and article 58, Criminal Procedure Code). In performing these tasks he (she) is supported by the police.

There are other sectors that work in areas correlated to child labor. That is the case of the Programa Nacional de Luta contra a Pobreza – PNL P (National Program to Combat Poverty), which deals essentially with vulnerable groups, in particular youth and women that are excluded from the job market.

#### Efficiency of the Government Policies:

All that have been said demonstrate the Government's commitment and effective action in ensuring fulfillment of Child and Adolescent Rights and, in particular, curbing and combating Child labor in its worst forms.

Following are information that not only supplement data provided on policies implemented but also bears testimony to the role of public authorities and the civil society in tackling those issues.

1. The study developed in 2007 by ICCA, "Child and Labor: A legal and sociological study", recognizes the particular relevance of family as a basic core of socialization for work and one of the main recruiters of child labor.
2. The Plan of Action for Elimination of Child Labor in Cape Verde, ICCA 2007-2011, is structured in two other studies, namely " Labor and Child: A Legal and sociological study, Parts I and II), which analyzes the political, institutional, legal and regulatory frame to better understand the phenomenon in its sociological, statistical, historical and cultural dimensions.
3. Ratification of ILO's 138 Convention to which Cape Verde subscribed through resolution N. 157/VI/2006, sets the minimum age for employment as "not inferior to the age of completion of compulsory education, or in any circumstance, not inferior to the age of 15 years old".
4. Ratification of ILO's 182 Convention on "the prohibition of the worst forms of child labor and immediate actions to eliminate them".
5. Ratification of the International Convention on the Rights of the Child – treaty that aims to protect children and adolescents all over the world. It was approved via Resolution 44/25 of the United Nations General Assembly, on November 20, 1989. Its principles have been implemented in Cape Verde, even before its ratification in 1991.
6. Cape Verde subscribes to the African Declaration on the Rights and Well-being of the Child, the World Declaration on Survival, Protection and Development of the Child, among others (Law N. 74/IV/92, of February 22, 1992).
7. Cape Verde adhered to the May 29, 1993 Convention on Child Protection and Cooperation on International Adoption of The Hague Conference on International Private Law.
8. At the national, the Child and Adolescent Statute, to be approved, and at the international level: " A World Fit For Children" adopted by 180 countries during the special session on Children of the United Nations, which complemented the

World Summit on Children, in 2001 and the Convention on the Rights of the Child.

9. The Cape Verdean Labor Code, which in its article 261st, expressly prohibits employment of minors less than 15 years of age and before reaching the age of completion of compulsory education.

10. The Criminal Code identifies as crimes many of the provisions under Convention N. 182 of the International Labor Organization on the Prohibition and Immediate Action to Eliminate the Worst Forms of Child Labor.

11. Cape Verde, according to ILO's rules, participated in a seminar on the elaboration of country reports on Child Labor, organized by ILO's Lisbon office and based on the International Program to Eradicate Child Labor of the Department of International Norms and Labor (NORMES) and of ILO's International Training Center in Turin (ITCILO). Currently, Cape Verde is working on its second report for the ILO.

Last but not least, it is also noteworthy the work developed by the NGOs, in the promotion and protection of Children and Adolescent Rights, focusing on preventing and combating Child Labor.

Praia, March 11, 2010